

# Town of Leeds

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## Planning Commission Meeting for June 4, 2014

1. Call to order:

Elliott Sheltman, Chair called to order the special work session meeting of the Planning Commission at 6:00pm on June 4, 2014, at Silver Pointe Estates.

2. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIR: ELLIOTT SHELTMAN	<u>x</u>	<u>          </u>
COMMISSION MEMBER: NORM PETERS	<u>x</u>	<u>          </u>
COMMISSION MEMBER: DARRELL NELSON	<u>x</u>	<u>          </u>
COMMISSION MEMBER: REED BRAITHWAITE	<u>          </u>	<u>x</u>
COMMISSION MEMBER: STEVE LEWIS	<u>          </u>	<u>x</u>

3. Special Work Session 6:00 p.m.

a. Site visit to Silver Pointe Estates

Rick Sant discussed with Commission Members Silver Pointe Estates subdivision.

4. Call to order:

Elliott Sheltman, Chair called to order the regular meeting of the Planning Commission at 7:00pm on June 4, 2014, at Leeds Town Hall, 218 N Main.

5. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIR: ELLIOTT SHELTMAN	<u>x</u>	<u>          </u>
COMMISSION MEMBER: NORM PETERS	<u>x</u>	<u>          </u>
COMMISSION MEMBER: DARRELL NELSON	<u>x</u>	<u>          </u>
COMMISSION MEMBER: REED BRAITHWAITE	<u>x</u>	<u>          </u>
COMMISSION MEMBER: STEVE LEWIS	<u>x</u>	<u>          </u>

6. Invocation by Darrell Nelson

7. Pledge of Allegiance by Elliott Sheltman.

8. Declaration of Abstentions or Conflicts: None.

9. Approval of Agenda:

Darrell Nelson moved to approve tonight's agenda and meeting minutes of May 7, 2014. 2<sup>nd</sup> by Norm Peters. All voted "Aye". Motion Passed.

10. Announcements: None.

11. Public Hearings: None

12. Action Items:

**a. Quality RV site plan**

Elliott Sheltman discussed the application and indicated the Town approved a temporary business license for Quality RV under the conditions a site plan was submitted. Planning Commission Members discussed further and set the following conditions for the applicant.

Reed Braithwaite made a motion to approve the Quality RV site plan that includes the 15 units that are marked on the exhibit and under the following conditions;

1. Keep dust free
2. Gravel is put in
3. Keep it weed free
4. Comply with the 10 foot setbacks
5. Complete within one month.

2<sup>nd</sup> by Darrell Nelson. All voted "Aye". Motion Passed in a Roll Call Vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIR: ELLIOT SHELTMAN	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSION MEMBER: REED BRAITHWAITE	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSION MEMBER: NORM PETERS	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSION MEMBER: DARRELL NELSON	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSION MEMBER: STEVE LEWIS	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>

**13. Discussion Items:**

**a. Roger New on a Septic system for Bulldog Ridge minor subdivision, applicant Bick Lesser**

Roger New presented a "will serve" letter from Angel Springs and discussed what septic system the Utah Public Health Department has approved.

Robert Beers for the Utah Public Health Department discussed the septic system with Commission Members. Robert indicated the State requires an inspection be done every 6 months and filed with the State.

Roger New indicated he will have the contract with the State to do the inspections every 6 months. Planning Commission discussed further.

**b. Silver Pointe Estates Phase 2 final plat map, applicant Rick Sant**

Rick Sant discussed the background of the subdivision. The full 45 lot subdivision map was approved 2 years ago but with the economy he decided to amend the map and do 2 phases instead of one. Phase 1 has 22 lots and has already been approved and now he is coming to get approval on Phase 2 that has 23 lots. Nothing has changed but the splitting of the lots into two phases. One of the problems in the Development is there is only one access. Rick indicated he will have to build a road; however, it will be a 30% greater slope that goes against the hillside ordinance so they will have to work with the Town to get the road approved. Another problem they faced was the mining that had been done on the site. Rick hired an Environmental Engineer firm to work up a design for the cleanup and they submitted it to the State Department of Environmental Quality. They got the plan approved so they went through and executed the plan and now are in the process of completing the paperwork on it. The plan is, once the paperwork is approved, to start developing Phase 1.

Elliott Sheltman if he remembers right, there are a total of 100 homes in the first phase and asked if that configuration was ever approved. Rick Sant responded yes, they own 150 acres

and the only agreement they have is when the property was annexed into the Town, the zoning and developing agreement indicated there could be 105 lots in the 150 acres. The majority of the lots are 1 acre with a few over that.

Elliott Sheltman asked what extensions they have already received. Rick replied when the first map was approved there was no time limit put on the recording of the maps. Since then, the ordinance has been amended. Rick discussed the extensions further with Commission Members.

Darrell Nelson asked where they were going to get their water. Rick replied they have 105 acre feet of water that they deeded to LDWA for their service.

Darrell asked Rick by the Protestant cemetery is some property was that traded to put in a road, was it ever deeded to the Town. Rick indicated they have extended the road through the subdivision and the road goes across a piece of a Town owned property. Rick is giving two other pieces of property to the Town and will deed it over when it records. The Town will then own all the property through there.

Elliott Sheltman wondered how Rick's engineers came up with the slopes that are indicated on the slope map and if they violate the Hillside Ordinance. Rick responded that his engineering company has indicated that they do not violate the ordinance and the building pads meet the criteria. Elliott discussed the slope maps and indicated the Town's Engineers slope map does not match Rick's engineering's slope map. Elliott's was concerned the 2<sup>nd</sup> road access is more than a 30% slope.

Bob Nicholson the Town planner indicated most of the slope maps are computer generated.

Glen Carnahan with Alpha Engineering who works with Rick Sant indicated that they have already had those discussions with Sunrise Engineering. Glen does not know what contour data Sunrise Engineering used but if it was an aerial survey it can be different than a field survey and discussed surveying further. They have not submitted anything that is not buildable with the exception of the access road. The Ordinance also requires setbacks from the cliff line with which they have complied. Glen Carnahan discussed it further with Commission Members.

Elliott Sheltman read part of a paragraph from a letter with a series of question from Sunrise Engineering (the Town's Engineer) in regards to the project;

"The proposed plan conflicts with the requirements of the Town's Hillside Protection Ordinance. Specifically, some development activities are proposed to occur on land having a slope of 30% or more".

Elliott Sheltman indicated the only response from Alpha Engineering was addressing the road but they are not just talking about the road.

Glen Carnahan said when they met with Sunrise Engineering he understood that comment was directed toward the roads. Elliott replied that's not how it was worded and discussed further with Glen and Commission Members.

Bob Nicholson continued reading the rest of the paragraph from the letter from Sunrise Engineering (the Town's Engineer) in regards to the project;

"Specifically, some development activities are proposed to occur on land having a slope of 30% or more. A detailed slope map has been provided, which generally shows that house pads and surface disturbance will be areas with less than 30% slopes. However, one of the primary development activities proposed in areas with 30% or greater slopes is construction of the second access road for the development. It is believed that a second access road is necessary for the Development and will provide benefit to the community. It is unknown whether the current Town code allows for exceptions to be made to the hillside protection requirements".

Elliott Sheltman responded you're talking about the road that goes through Angel Springs. Bob

responded no they are talking about the subdivision in general.

Elliott Sheltman indicated that he has had some discussion with people that were involved with the original Hillside Protection Overlay Zone and the reasons for it. It fits into the Town's general plan and discussed the Ordinance further. Elliott thinks the slopes have to be more than 30% and would like the Town's Engineers to double check it. Glen Carnahan responded we submitted it to Sunrise Engineers and they feel like they have addressed that but maybe you need to talk to them to have it verified.

Bob Nicholson responded that they could have Alpha's slope map ran at the same scale as the subdivision map. It is just done digitally and should be easy to do. Some of the lots are over 30% but whether the pads themselves are, they would have to run the information at the same scale.

Norm Peters, So what you are telling us is that each individual lot with a pad meets the requirement but the entire lot does not necessarily meet the 30 %; however, each lot has a building pad that does meet that requirement. Glen Carnahan replied correct and discussed it further.

Elliott Sheltman indicated he has a problem with this and does not see it being a quick process. He indicated he wants the Town's engineers to run the same slope map as Alpha to see if they get the same information.

Glen Carnahan responded that they have already shared their information with Sunrise Engineering but can do it again. Elliott questioned how they got there measurements and discussed it further with Planning Commission Members.

Rick Sant, we are not going to solve anything tonight. He suggested the Town's Engineer works with their Engineer to answer Elliott's questions. This is not some secret, this has been out now for 6 years.

Elliott Sheltman responded as a new Planning Commission Member, he does not see how the subdivision is under a 30% slope and discussed it further with Rick Sant and Bob Nicholson.

Elliott asked Rick if there is a reason why they are asking for approval now. Rick replied because they only have till August before there extension runs out and he is asking for them to approve it with the contingency, the sewer be in place and a letter from the State for the cleanup. Elliott discussed it further with Bob Nicholson the Town planner.

Norm Peters recommended approval with conditions and discussed it further with Elliott.

Steve Lewis indicated the Fire Department has not approved any roads yet. They do not like to approve any roads that are over a 10% slope because of the fire code. It's also about where to park the fire truck. Steve would like to look at each lot more specific to see if he can get access for parking the fire truck. Rick responded that all the driveways come off the road so there will be a flat spot and he will get together with Steve to make sure it is that way.

Elliott Sheltman asked Rick Sant about the tailings from the mining material and discussed it.

Rick responded that it was in the Mediation plan that the Town has already approved and a copy of is in the Town's office. Elliott indicated he has violated the Hillside Ordinance 20.6.

Rick responded that when he started the excavation work, he went into the Town and asked if he needed to get a grading or an excavation permit and he was told no. It was in the plan that he submitted to the Town and discussed it further with Elliott. Rick indicated that he has complied with everything the town has asked him to do and discussed it further.

Elliott asked if there was any public comment. Kristi Barker, Deputy Clerk Recorder responded that you cannot take public comment in a Planning Commission meeting unless it is a public hearing.

#### **c. Land Use Ordinance Chapter 22, Sign Ordinance**

Elliott discussed the Sign Ordinance and would like to get something together for next month's meeting.

Bob Nicholson indicated that was one of the first things he was asked to do for the Town and discussed it further with Commission Members.

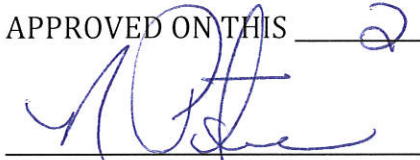
14. Staff Reports: None

15. Adjournment:

Norm Peters moved to adjourn the meeting. 2<sup>nd</sup> by Reed Braithwaite. All voted "Aye". Motion Passed.

Time: 8:32pm.

APPROVED ON THIS 2 DAY OF July, 2014



Norm Peters, Chair

ATTEST:



Kristi Barker, Deputy Clerk/Recorder